

REDEVELOPMENT PLAN

FOR THE GOSHEN REDEVELOPMENT PROJECT

MAY, 1987

**REDEVELOPMENT AGENCY OF
THE COUNTY OF TULARE**

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for the
GOSHEN REDEVELOPMENT PROJECT

May 1987

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PREFACE

This document represents the Redevelopment Plan for the Goshen Redevelopment Project, being undertaken by the Redevelopment Agency of the County of Tulare. The Plan is based upon the Preliminary Redevelopment Plan for the same project prepared by the Agency and adopted by the Tulare County Planning Commission on March 11, 1987 and approved by the Agency board on March 24, 1987. In accordance with the State of California's Community Redevelopment Law, this Plan sets forth general activities and implementation procedures which the Agency may undertake in pursuing the Redevelopment process in the community of Goshen. The Plan also includes a description of activities which the Agency is required to undertake in the redevelopment process to conform to the Community Redevelopment Law. At the same time, the Plan is deliberately structured to provide the Agency with the maximum legal flexibility in implementing redevelopment in the Project Area. Many of the circumstances existing in the community and influencing the nature and scope of the most appropriate redevelopment activities the Agency may undertake on behalf of Goshen residents and property owners will change and evolve significantly over the life of the Plan, and it is important that the Agency not only set forth specific objectives and projects for the redevelopment process today, but also be positioned to respond to the community's need for redevelopment support from the Agency in response to future needs as well.

A redevelopment plan is a legal document, the content and form of which is largely prescribed by California Redevelopment Law. The Plan presented in the following pages conforms fully to the legal requirements set forth by State law, but is also organized and written as simply and understandably as possible. The Plan is segmented into major sections and appropriate subsections to facilitate its continuing utilization and to enhance its clarity.

ARTICLE 1

INTRODUCTION

Section 100 - AUTHORITY FOR PLAN

This Redevelopment Plan (hereinafter referred to as "Plan") for the Goshen Redevelopment Project has been prepared by the Redevelopment Agency of the County of Tulare. The Plan has been prepared fully in conformance with the California Community Redevelopment Law, California Health and Safety Code Section 3000 et. seq., and with all other applicable laws and ordinances. The contents of this Plan include the text set forth in the following sections, a Redevelopment Plan Map (Appendix A), a legal description of the redevelopment Project Area (Appendix B), and a summary of public improvements and other activities which may be undertaken by the Agency in conformance with this Plan (Appendix C).

This Plan is based upon the Preliminary Redevelopment Plan for the Goshen Redevelopment Project, prepared by the Agency and adopted by the Tulare County Planning Commission on March 11, 1987 and approved by the Agency board on March 24, 1987. In establishing the Goshen Redevelopment Project, the Redevelopment Agency of the County of Tulare has found that the Project Area is subject to blighted conditions and blighting influences, in accordance with the definitions and prescriptions set forth in Sections 33031 and 33032 of California Community Redevelopment Law.

Section 110 - DEFINITIONS

As used in this Plan, the following terms, unless otherwise noted, are defined to mean:

- 110.1 "Agency" means the Redevelopment Agency of the County of Tulare, California
- 110.2 "Area Median Income" means the median household income of a geographic area of the state as adjusted for family size as annually estimated by the United States Department of Housing and Urban Development or, in the event such determinations are discontinued, income limits published by the State Department of Housing and Community Development (Health and Safety Code Section 50093).

- 110.3 "Board of Supervisors" means the Board of Supervisors of the County of Tulare, California
- 110.4 "County" means the County of Tulare, California
- 110.5 "Legal Description" means a description of the land within the Goshen Redevelopment Project Area in accordance with map specifications approved by the California State Board of Equalization, attached hereto as Appendix "B".
- 110.6 "Low or Moderate Income" means persons and families whose income does not exceed one hundred twenty percent (120%) of the Area Median Income (Health and Safety Code Section 50093).
- 110.7 "Map" means the Redevelopment Plan Map, attached hereto as Appendix "A".
- 110.8 "Occupant" means the persons, families, or businesses holding possession of a building or part of a building.
- 110.9 "Person" means any individual or any public or private entity.
- 110.10 "Plan" means this Redevelopment Plan for the Goshen Redevelopment Project in the County of Tulare, California, a "redevelopment plan" under the Community Redevelopment Law of the State of California.
- 110.11 "Planning Commission" means the Planning Commission of the County of Tulare, California.
- 110.12 "Project Area" means the area included within the boundaries of the Goshen Redevelopment Project Area as depicted on the Map, attached hereto as Appendix "A", and the Legal Description for said area, attached hereto as Appendix "B".
- 110.13 "Real Property" means land; buildings, structures, fixtures and improvements on the land; property appurtenant to or used in connection with the land; and every estate, interest, privilege, easement, franchise, and right in land, including rights-of-way, terms for years, and liens, charges, or encumbrances by way of judgment, mortgage or otherwise, and the indebtedness secured by such liens.

- 110.14 "Redevelopment Law" means the Community Redevelopment Law of the State of California (California Health and Safety Code, Sections 33000 et seq.), as amended to date.
- 110.15 "State" means any state agency or instrumentality of the State of California.
- 110.16 "Tenant" means a person or group of persons who rent or otherwise are in lawful possession of a dwelling or business, including a sleeping room which is owned by another.
- 110.17 "Very Low Income" means persons and families whose incomes do not exceed the qualifying limits for very low income families established pursuant to Section 8 of the United States Housing Act of 1937 or, in the event such federal standards become obsolete, persons and families whose incomes do not exceed fifty percent (50%) of the median income, as estimated by the State Department of Housing and Community Development from time to time, for the area in which the housing units in question are located (Health and Safety Code Section 50105).

Section 120 - PROJECT AREA BOUNDARIES

The boundaries of the Goshen Redevelopment Project Area are depicted on the Map attached to, and incorporated in, this Plan as Appendix "A". A legal description of the Project Area boundaries is attached to, and incorporated in, this Plan as Appendix "B".

ARTICLE 2

OBJECTIVES, REQUIREMENTS AND PROCEDURES OF THE REDEVELOPMENT PLAN

Section 200 - GENERAL DISCUSSION

Article 2 of the Plan generally establishes the objectives of the Goshen redevelopment project and describes in broad terms the types of land uses and development standards which will be promoted in the Project Area.

Since the Agency is separate from the County, it is appropriate for the Agency to establish general standards and controls for construction and development activities which are proposed to take place in the Project Area. While these standards and controls could be different from those adopted by the County, for administrative ease and consistency, this section of the Plan adopts County standards as found in the County of Tulare General Plan, Zoning ordinance, and various other sign, building, plumbing and development-related codes by reference.

There must be, of course, a process for administrative review to ensure that various redevelopment activities conform to the adopted standards. Section 260 establishes a review procedure under which the Agency will monitor building permits. Conforming projects will be allowed to proceed, while projects not in conformance with this Plan will be denied building permits. While it may seem that this review procedure establishes yet another layer of government, the fact that the Agency and the County are using the same standards generally assures that applicants for building permits will be able to proceed as if the Agency did not exist as a separate entity.

Section 210 - OBJECTIVES OF THE REDEVELOPMENT PLAN

The Project Area includes a number of conditions which are specified in the California Health and Safety Code as characteristics of blight. The goal of this Plan is to eliminate such conditions of blight by providing needed public improvements; by encouraging rehabilitation and repair of deteriorated structures; by facilitating land assembly and development which will result in housing opportunities, employment opportunities and an expanded tax base; and by promoting development in accordance with the County of Tulare General Plan.

In pursuing attainment of this goal, overall objectives for the Goshen Redevelopment Project are established by this Plan, and are:

- 210.1 A strengthening and diversification of the community's economic base by providing for additional, agriculturally-related industries and services and for the development of expanded highway-oriented commercial business enterprises.
- 210.2 Encouragement of improved access to the community through enhanced freeway interchange design and function.
- 210.3 Improvement in the quality and scope of housing opportunities available to the community.
- 210.4 Substantial improvements to existing infrastructure supporting the community, particularly with regard to wastewater disposal and storm drainage.
- 210.5 Strengthening of the aesthetic image of the community, to enhance impressions of Tulare County, Visalia, and the general region upon travelers along State Highway Route 99 and to help ameliorate existing stigma against development in the community.
- 210.6 Elimination, or mitigation of, other existing blighting conditions and influences, including incompatible land uses, obsolete or substandard structures, inadequate public facilities, and/or small, irregular and landlocked parcels.

Specific projects contemplated by the Agency to attain the objectives of the Goshen Redevelopment Plan are described in Appendix "C" attached hereto and by this reference, made a part hereof.

Section 220 - CONFORMANCE TO THE COUNTY'S GENERAL PLAN

All uses proposed in this Plan, or any amendments to this Plan, or any other plans that may be adopted by the Agency, shall be in conformance with the General Plan of the County of Tulare as it now exists or is hereafter amended. In its present form, the Plan is fully consistent with all applicable elements and provisions of the General Plan, including the Goshen Community Plan, a specific subunit of the Land Use Element of the Tulare County General Plan.

Except when inconsistent with this Plan, all requirements of the Tulare County Zoning Ordinance shall apply to all uses proposed hereunder. The Agency, after consultation with the Planning Commission, may, by resolution, adopt specific plans for all or any portion of the Project Area which establish architectural controls, heights of buildings, land coverage, setback requirements, traffic circulation, traffic access, sign criteria and other development and design controls necessary for proper development of both private and public areas within the Project Area. These controls may not relax requirements of the appropriate zone classification of the Tulare County Zoning Ordinance.

This Plan recognizes the unique relationship of the community of Goshen, and of the Project Area, to the nearby City of Visalia. In order to assure consistency of evolving development within the project Area with the ultimate character of development within the City of Visalia, the Agency, with the cooperation of the County, may specifically adopt and/or amend such development codes and regulations as may be necessary and appropriate to correspond to, or improve upon, particular development standards of the City of Visalia, provided that, in any instance, such standards remain consistent with the General Plan of the County of Tulare.

Section 230 - PROJECT AREA LAND USES

The Redevelopment Plan Map attached hereto as Appendix "A", in addition to depicting the location of and prescribing the boundaries of the Project Area, also illustrates the proposed land uses to be permitted in the Project Area, including public rights-of-way, public easements, and open space. These uses, which correspond to prescribed land uses of the Goshen Community Plan and other General Plan and Zoning Ordinance designations of the County of Tulare are summarized in the following paragraphs:

Section 231 - "Residential" Uses

Residential areas designated on the Map shall be developed in accordance with the standards for Residential uses as provided for in the General Plan of the County of Tulare, including the Goshen Community Plan.

Section 232 - "Community Commercial" Uses

Areas designated on the Map as Community Commercial shall be developed in accordance with the standards for such uses as described in the General Plan of the County of Tulare, including the Goshen Community Plan.

Section 234 - "Service Commercial" Uses

Areas designated on the Map for Service Commercial uses shall be developed in accordance with the standards for such uses as described in the General Plan of the County of Tulare, including the Goshen Community Plan.

Section 235 - "Low Intensity Service Commercial and/or Industrial Uses

Areas designated on the Map for Low Intensity Service Commercial and/or Industrial uses shall be developed in accordance with the standards for such uses as described in the General Plan of the County of Tulare, including the Goshen Community Plan.

Section 236 - "Industrial" Uses

Areas designated on the Map for Industrial uses shall be developed in accordance with the standards for such uses as described in the General Plan of the County of Tulare, including the Goshen Community Plan.

Section 237 - "Private Recreation" Uses

Areas designated on the Map for Private Recreation uses shall be developed in accordance with the standards for such uses as described in the General Plan of the County of Tulare, including the Goshen Community Plan.

Section 240 - PUBLIC USES FOR THE PROJECT AREA

Section 33332 of the Community Redevelopment Law requires that a redevelopment plan contain a description of the general layout of streets for the Project Area, as well as a description of property to be devoted to public purposes and the nature of such purposes.

Section 241 - Public Street Layout, Rights-of-Way and Easements

The public rights-of-way, easements, and principal streets proposed or existing in the Project Area are shown on the Map included as Appendix "A". Such Streets and right-of-way may be widened, altered, realigned, abandoned, vacated, or closed by the Agency and the County as necessary for proper development of the project. Additional public streets, alleys, and easements may be created by the Agency and the County in the Project Areas as needed for proper circulation.

The public rights-of-way shall be used for vehicular and pedestrian traffic, as well as for public improvements, public and private utilities, and activities typically found in public rights-of-way. In addition, all necessary easements for public

facilities, and public utilities may be retained and created.

Section 242 - Public and Quasi-Public Uses and Facilities

In any portion of the Project Area, the Agency is authorized to permit the establishment or enlargement of public, semi-public, institutional, or nonprofit uses. All such uses shall conform, so far as possible, with the provisions of this Plan applicable to the uses in the area involved.

Section 243 - Interim Uses

Pending the ultimate development of land by developers and participants, the Agency is authorized to use or permit the use of any land in the Project Area for interim uses not in conformity with the uses permitted in this Plan, provided that such uses were existing at the time this Plan was adopted.

Section 250 - GENERAL DEVELOPMENT REQUIREMENTS

The following requirements shall be applicable generally to all property, and development of such property, located within the boundaries of the redevelopment Project Area.

Section 251 - Conformance with the Redevelopment Plan

All real property in the Project Area is hereby made subject to the controls and requirements of this Plan. No real property shall be developed, rehabilitated, or otherwise changes after the date of the adoption of this Plan except with the approval of the Agency and in conformance with the provisions of this Plan.

Section 252 - New Construction

All construction in the Project Area shall comply with and meet or exceed all applicable State and local laws in effect as amended from time to time, including, but not necessarily limited to, Zoning, Fire, Building, Electrical, Mechanical, Grading, Plumbing, and Sign Codes of the County of Tulare.

Section 253 - Rehabilitation and Retention of Properties

Any existing structure within the Project Area and specifically approved by the Agency for retention and rehabilitation may be repaired, altered, reconstructed, or rehabilitated in such a manner that it will be safe and sound in all physical respects and not detrimental to the surrounding uses. Property rehabilitation standards for rehabilitation of existing buildings and site improvements may be established by the Agency.

Section 254 - Subdivision or Consolidation of parcels

No parcels in the Project Area, including any parcels retained by participant, shall be subdivided or consolidated without the approval of the Agency Board of Directors.

Section 255 - Limitations on Type, Size, Height, Number, Proposed Use of Buildings, and Number of Dwelling Units

The type, size, height, number, proposed use of buildings, and number of dwelling units shall be consistent the the Tulare County General Plan, the County of Tulare Zoning Ordinance, and any specific plan or other requirements that may be adopted pursuant to this Plan.

At the time the Project Area is fully developed, approximately 325 additional dwelling units will be permitted within the Project Area.

Section 260 - SPECIFIC DEVELOPMENT PROCEDURES

Section 261 - Review of Applications for Building Permits

Upon the adoption of this Plan by the Agency after public hearing, no permit shall be issues for the construction of any new building or any addition to an existing building in the area covered by this Plan until the application for such permit has been processed in the manner herein provided. Any permit that is issued hereunder must be for construction that conforms to the provisions of this Plan. Upon receipt of an application for a building permit, the Building Official of the County shall request the Agency Executive Director or his designee to review the application to determine if the proposed improvements will conform to this Plan. Within fifteen (15) days thereafter, the Executive Director of the Agency, or his authorized designee, shall file with the Building Official a written report setting forth his finding of fact, including, but not limited to, the following:

- a. Whether the proposed improvements would be compatible with the standards and other requirements set forth in this Plan and the design proposed by the Agency;
- b. What modification, if any, in the proposed improvements would be necessary in order to meet the requirements of this Plan and the proposed design of the Agency; and

- c. Whether the applicant has entered into an agreement with the Agency for the development of said improvements and submitted architectural, landscape and site plans to the Agency.

After receipt of said report, or after said 15-day period, whichever occurs first, the Building Official may issue the permit, with the conditions, if any, as required by the Agency Executive Director or his designee, or the Building Official shall withhold the issuance of the permit if the Agency Executive Director or his designee has found that the proposed improvement does not meet the requirements of this Plan and the design requirements of the Agency. Within fifteen (15) days after withholding issuance of the permit, the Building Official shall notify the applicant by certified mail of its decision.

Section 262 - Procedures for Appeal by Applicants

The applicant may appeal the Building Official's decision of withholding or conditionally allowing the issuance of such permit to the Agency Board of Directors. Within ten (10) days of the mailing of the notice of the decision of the Building Official, the appellant shall file an application of appeal with the Executive Director of the Agency. The application of appeal shall set forth the grounds relied upon by the appellant. The Agency shall set the matter for hearing at their next regular meeting following the filing of the appeal. The Agency shall give notice of the time and place for said hearing to the appellant and to each owner of property located within 300 feet of the perimeter of subject property as shown on the last equalized assessment roll. The notice shall be mailed at least fifteen (15) days prior to the hearing.

Section 263 - Variations

Under exceptional circumstances, the Agency is authorized to permit minor variations from the limits, restrictions, and controls established by this Plan. In order to permit such minor variations, the Agency must determine that:

- a. The strict applications of the provisions of this Plan would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of this Plan.
- b. There are exceptional circumstances or conditions applicable to the property or to the intended development of the property which do not generally apply to other properties having the same standards, restrictions, and controls.

- c. Permitting a minor variation will not be materially detrimental to the public welfare or injurious to the property or improvements within or outside the Project Area.
- d. Permitting a minor variation will not be contrary to the objectives of this Plan or of the General Plan of the City.

No such minor variation shall be granted which permits substantial departure from the provisions of this Plan. In permitting any such minor variation, the Agency shall impose such conditions as are necessary to protect the public health, safety, or welfare, and to assure compliance with the purpose of this Plan. Nondiscrimination and nonsegregation clauses shall not be subject to minor variation. No minor variation permitted by the Agency shall be effective until design review, conditional use permits, variances, or changes in zoning requirements, if any, have been granted or effectuated by the County to obtain consistency with such minor variations permitted by the Agency.

ARTICLE 3

TECHNIQUES TO ACHIEVE REDEVELOPMENT OBJECTIVES

Under existing law, a redevelopment plan is essentially an authorization document, setting forth the scope and types of activities which the Agency will be permitted to undertake, or alternatively, the nature of and manner in which certain activities must be undertaken, in pursuit of the attainment of local redevelopment objectives.

Redevelopment Law generally specifies that a Redevelopment Agency should only undertake projects which would not occur without the involvement or assistance of the Agency. This means that an Agency, in the course of its activities, will focus on those projects which cannot be achieved by private enterprise or by local municipal government acting alone, because such projects are outside the legal authority or beyond the financial capacity of such entities. In order for a Redevelopment Agency to be able to successfully undertake projects which cannot be achieved by private enterprise or by local municipal government, it is necessary for the Agency to have certain "tools" with which to operate. The tools which Redevelopment Agencies may use in implementing redevelopment in a community are specifically set forth in Redevelopment Law. The following section both authorizes and limits the use of these tools by the Redevelopment Agency of Tulare County in implementing the Plan for the Goshen Redevelopment Project.

Section 300 - SUMMARY

To obtain the objectives of this Plan, the Redevelopment Agency of Tulare County is authorized to undertake the following implementation actions:

- 300.1 Providing for participation by owners and tenants of properties located in the Project Area by extending preferences to remain or relocate within the redevelopment area;
- 300.2 Acquisition of real property and management of property under the ownership and control of the Agency;
- 300.3 Relocation assistance to displaced Project Area occupants;
- 300.4 Demolition or removal of buildings and improvements;

- 300.5 Installation, construction, or reconstruction of streets, utilities open spaces and other public improvements and facilities;
- 300.6 Disposition of property for uses in accordance with this Plan;
- 300.7 Development and redevelopment of land by private enterprise and public agencies for uses in accordance with this Plan;
- 300.8 Rehabilitation of structures and improvements by present owners, their successors, or the Agency; and
- 300.9 Rehabilitation, development, or construction of low and moderate income housing within the community.

Section 310 - PARTICIPATION BY OWNERS AND TENANTS

It is the intent of the Agency to give preferential treatment to existing owners of residential, business and other types of real property in the Project Area for participation in the redevelopment of the area.

Section 311 - Conforming Owners

The Agency may determine that certain real property within the Project Area presently meets the requirements of this Plan, and the owners of such properties will be permitted to remain as conforming owners without a participation agreement with the Agency, provided such owners continue to operate and use the real property within the requirements of this Plan. The Agency shall, upon the request of any conforming owner, issue to that owner, in a form suitable for recordation, a Certificate of Conformance which shall provide in substance that the property conforms to the requirements of this Plan on the date of the certificate's issuance.

The Agency may also determine that certain real property within the Project Area is substantially in conformance with the requirements of this Plan, and the owners of such property may be allowed to remain as conforming owners, except that such owners may be required to bring their property, to the extent possible, in greater conformance with this Plan.

In the event any of the conforming owners desire to: (1) construct any additional improvements or substantially alter or modify existing structures on any of the real property described above as conforming; or (2) acquire additional real property within the Project Area; then such conforming owners may be required to enter into a participation agreement with the Agency in the same manner as required for other owners.

Any real property owned by conforming owners outside of designated conforming parcels within the Project Area shall be considered and treated in the same manner as real property owned by other owners; that is, such property may be subject to a participation agreement with the Agency.

Section 312 - Participation Opportunities for Owners

Persons who are owners of real property in the Project Area shall be given the opportunity to participate in redevelopment by retaining all or a portion of their properties, by acquiring adjacent or other properties in the Project Area or where the Agency deems appropriate by selling their properties to the Agency and purchasing in the Project Area.

The Agency specifically intends to limit acquisition of real property to those properties which are essential to accomplishing the objectives of this Plan. Persons who own property within the Project Area shall be afforded ample opportunities to retain and develop or rehabilitate their properties consistent with the objectives of this Plan.

The Agency is authorized to permit an existing use to remain in an existing building in good condition, which use does not conform to the provisions of this Plan, provided that such use is generally compatible with existing and proposed developments and uses in the Project Area. The owner of such a property must be willing to enter into a participation agreement, if required by the Agency, and agree to the imposition of such reasonable restrictions as are necessary to protect the development and use of the Project Area.

In the event a participant fails or refuses to rehabilitate or develop his real property pursuant to this Plan and/or the participation agreement as an alternate thereto, the real property, or any interest therein, may be acquired by the Agency and sold or leased for rehabilitation or development in accordance with this Plan.

Section 313 - Re-Entry Preferences for Tenants

The Agency shall extend preferences to persons who are engaged in business in the Project Area to re-enter in business within the Project Area if they otherwise meet the requirements prescribed in this Plan. The Agency shall also extend preferences to Project Area residents to re-enter within the redevelopment area if they otherwise meet the requirements prescribed in this Plan. Business, residential, institutional and semi-public tenants shall be permitted if they so desire to purchase and develop real property in the Project Area if they otherwise meet the requirements prescribed in this Plan.

Section 314 - Participation Priorities

Participation opportunities shall necessarily be subject to and limited by such factors as the land uses designated for the Project Area, the provision of public facilities, realignment of streets the ability of owners to finance acquisition and development of structures in accordance with this Plan, or any change in the total number of individual parcels in the Project Area.

In order to provide an opportunity to owners and tenants to participate in the growth and development of the Project Area, the Agency has promulgated rules for owner and tenant participation. If conflicts develop between the desires of participants for particular sites or land uses the Agency has established reasonable priorities and preferences among the owners and tenants. Some of the factors considered in establishing the priorities and preferences included present occupancy, participant's length of residency or occupancy in the area, accommodation of as many participants as possible, similar land use to similar land use, conformity of participants' proposals with the intent and objectives of this Plan, and ability to finance the implementation, development experience, and total effectiveness of each participant's proposal in providing a service to the community.

Opportunities to participate shall be provided first to owners and tenants with existing interest in the Project Area without competition with persons and firms from outside the Project Area. Secondary participation opportunities will be granted to owner occupants relocating within the Project Area in accordance with, and as a result of, Plan implementation. Third level priority shall be afforded existing tenants relocating within the Project Area in accordance with, and as a result of, Plan implementation. Last priority shall be afforded to firms and persons from outside the area. If participants fail to perform as mutually agreed, the Agency shall have the authority to acquire the subject property in order to effectuate the purposes of this Plan.

Owner/participant priorities shall take effect at the time that this Plan is adopted by the Tulare County Board of Supervisors.

In addition to opportunities for participation by individual persons and firms, participating, to the extent it is feasible, shall be available for two or more persons, firms, or institutions to join together in partnerships, corporations, or other joint entities.

Section 315 - Participation Agreements

At the Agency's option, each participant may be required to enter into a binding agreement with the Agency by which the participant agrees to develop, rehabilitate, or use the property in conformance with this Plan and be subject to the provisions in the participation agreement. In such agreements, participants who retain real property shall be required to join in the recordation of such documents as are necessary to make the provisions of the agreement applicable to their properties.

Whether or not a participant enters into a participation agreement with the Agency, the provisions of this Plan are applicable to all public and private property in the Project Area.

Section 320 - PROPERTY ACQUISITION AND MANAGEMENT

Section 321 - Acquisition of Real Property

The Agency may acquire, but is not required to acquire, any real property located in the Project Area by gift devise, exchange, purchase, or any other lawful method, including eminent domain, subject to the exceptions specified in this section. The Agency is authorized to acquire structures without acquiring the land upon which those structures are located. The Agency is also authorized to acquire any other interest in real property less than fee title. The exercise of the right of eminent domain, if necessary, to acquire property within the Project Area shall be commenced by the Agency within twelve (12) years following the adoption of this Plan. Said time limitation may be extended only by amendment of this Plan.

Properties may be acquired and cleared by the Agency if a determination is made that one or more of the following conditions exist:

- a. The building must be removed in order to assemble land into parcels of reasonable size and shape to eliminate that impediment to land development;
- b. The building is substandard as demonstrated by an inspection of the property by the Building and Planning Department of the County of Tulare;
- c. The building must be removed in order to eliminate an environmental deficiency, including, but not limited to incompatible land uses and small and irregular lot subdivisions;

- d. The building must be removed to provide land for needed public facilities, including among others, rights-of-way, public safety facilities, public recreational facilities and open space and other public utilities.

Properties which may not be acquired by eminent domain include the following:

- a. Property owned by public bodies which do not consent to such acquisition. The Agency is authorized, however, to acquire property devoted to a public use;
- b. Real property to be retained by an owner, either as a conforming owner or pursuant to a participation agreement, if the owner fully performs under the agreement; or
- c. Real property on which an existing building is to be continued on its present site and in its present form and use, without the consent of the owner, unless:
 1. The building requires structural alterations, improvements, modernization or rehabilitation;
 2. The site or lot on which the building is situated requires modification in size, shape or use; or
 3. It is necessary to impose upon such property any of the standards, restrictions and controls of this Plan, and the owner fails or refuses to participate in this project by executing an Owner Participation Agreement.

Other provisions of this section notwithstanding, the Agency shall not acquire from any of its members or officers any property or interest in property except through eminent domain proceedings.

Section 322 - Acquisition of Personal Property

Generally, personal property shall not be acquired. However, where necessary for the execution of this Plan, the Agency is authorized to acquire personal property in the Project Area by any lawful means.

Section 323 - Property Management

During such time as property, if any, in the Project Area is owned by the Agency, such property shall be under the management and control of the Agency. Such property may be maintained, managed, operated, repaired, cleaned, rented, or

leased to an individual, family, business, or other appropriate entity by the Agency, pending its disposition for redevelopment. The Agency shall maintain all Agency-owned property that is not to be demolished in a reasonably safe and sanitary condition. Furthermore, the Agency may insure against risks or hazards, any of the real or personal property which it owns.

In accordance with Section 33401 of the California Health and Safety Code, the Agency may, in any year during which it owns property in the Project Area, pay directly to any city, county, city and county, district, including, but not limited to, a school district, or any other public corporation for whose benefit a tax would have levied upon such property had it not been exempt, an amount of money in lieu of taxes. A proportionate share of any amount of money paid by an agency to any city and county pursuant to this section shall be disbursed by the city and county to any school district with territory located within a redevelopment project area in the city and county. "Proportionate share," as used in this section, means the ratio of the school district tax rate, which is included in the total tax rate of the city and county, to the total tax rate of the city and county.

The Agency may also pay to any taxing agency with territory located within a project area other than the community which has adopted the project, any amounts of money which the Agency has found are necessary and appropriate to alleviate any financial burden or detriment caused to any taxing agency by a redevelopment project. The payments to a taxing agency in any single year shall not exceed the amount of property tax revenues which would have been received by that taxing agency if all the property tax revenues from the project area had been allocated to all the affected taxing agencies without regard to the division of taxes required by Section 33670, except that a greater payment may be established by agreement between the Agency and one or more taxing agencies, except a school district, if such other taxing agencies agree to defer payment for one or more years in order to accomplish the purposes of the project at an earlier time than would otherwise be the case. The amount of any such greater payment shall not exceed the amount of payment deferred. The payments shall be approved by a resolution, adopted by the Redevelopment Agency, which shall contain findings, supported by substantial evidence, that the redevelopment project will cause or has caused a financial burden or detriment to the taxing agency and that the payments are necessary to alleviate the financial burden or detriment.

The Agency is not authorized to own and operate rental property acquired and rehabilitated in prospect of resale, beyond a reasonable period of time necessary to effect such resale.

Section 330 - RELOCATION OF PERSONS FAMILIES, AND BUSINESSES

Section 331 - Relocation Assistance

Relocation advisory assistance will be furnished by the Agency to any person (either owners or renters) or business concern whose property is acquired by the Agency in connection with the implementation of this Plan. No person will be required to move from his dwelling unit because of the activities of the Agency in implementing this Plan unless replacement housing is available in areas not generally less desirable with regard to public utilities, public commercial facilities, and reasonably accessible to the place of employment, at rents or prices within the financial means of such persons, and the replacement dwelling unit is decent safe and sanitary.

Section 332 - Relocation Plan

The Agency shall prepare a feasible plan for relocation of all of the following which might be impacted by the redevelopment project:

- a. Families and persons to be temporarily or permanently displaced from housing facilities in the Project Area.
- b. Nonprofit local community institutions to be temporarily or permanently displaced from facilities actually used for institutional purposes in the Project Area.

The Board of Supervisors shall ensure that the Agency's plan for the relocation of families or single persons to be displaced by a project shall provide that no persons or families of low and moderate income shall be displaced unless and until there is a suitable housing unit available and ready for occupancy by such displaced person or family at rents comparable to those at the time of their displacement. Such housing units shall be suitable to the needs of such displaced persons or families and must be decent, safe, sanitary and otherwise standard dwellings. The Agency shall not displace such person or family until such housing units are available and ready for occupancy.

Section 333 - Relocation Payments

The Agency shall make relocation payments to qualified persons or businesses displaced by the Project. Such relocation payments shall be made pursuant to Agency rules and regulations adopted pursuant to California Government Code and guidelines promulgated by the State Department of Housing and Community Development. In addition, the Agency may make any

additional relocation payments which, in the Agency's opinion, may be reasonably necessary to carry out the purposes of this Plan. These additional payments shall be subject to the availability of funds for such purpose.

Section 334 - Temporary Relocation Housing

The Agency is authorized to provide temporary relocation housing on cleared sites within the Project Area. Such action by the Agency would be to provide additional safe, standard, and decent relocation housing resources for families and businesses within the project Area prior to permanent disposition and development of such cleared sites. In instances where temporary relocation resources are utilized, permanent housing facilities for displaced occupants shall be made available within three (3) years from the time such occupants are displaced.

If feasible and desirable, the Agency may also utilize sites outside the Project Area for providing relocation housing resources. The Agency is also authorized to provide temporary relocation housing in houses acquired by the Agency that are being held for sale and/or rehabilitation.

Section 340 - DEMOLITION, CLEARANCE, SITE PREPARATION, PROJECT IMPROVEMENTS AND PUBLIC IMPROVEMENTS

Section 341 - Demolition and Clearance

The Agency is authorized to demolish and clear or move, or cause to be demolished and cleared or moved, buildings, structures, and other improvements from any real property in the Project Area as necessary to carry out the purposes of this Plan.

If in implementing this Plan any dwelling units housing persons and families of low or moderate income are destroyed or removed from the low or moderate income housing market as part of the Project, the Agency shall, within four (4) years of such destruction or removal, rehabilitate, develop or reconstruct, or cause to be rehabilitated, developed or constructed for rental or sale to persons and families of low or moderate income, an equal number of replacement dwelling units at affordable costs within the Project Area or within the territorial jurisdiction of the Agency.

Section 342 - Building Site Preparation

The Agency is authorized to prepare, or cause to be prepared as building sites any real property in the Project Area.

Section 343 - Project Improvements

Pursuant to Section 33421 of the California Community Redevelopment Law, the Agency is authorized to install and construct, or to cause to be installed and constructed project improvements and public utilities necessary to carry out this Plan. Such improvements include, but are not limited to, streets curbs, gutters, street lights, sewers, storm drains, traffic signals, electrical distribution systems, natural gas distribution systems, water distribution systems, parking facilities and landscaped areas.

Without the prior consent of the Board of Supervisors, the Agency may not use its authority, pursuant to this subsection, to develop a site for commercial or residential use to provide streets sidewalks, utilities or other improvements which an owner or operator of the site would otherwise be obliged to provide. In giving such consent, the Board of Supervisors shall make a finding that the provision of such improvement is necessary to effectuate the purposes of this Plan.

Section 344 - Public Improvements

The Agency may, with the consent of the Board of Supervisors, pay all or part of the value of the land for, and the cost of the installation and construction of, any buildings, facilities, structures or other improvements which are publicly owned, either outside or inside the Project area, if the Board of Supervisors and the Agency determine (1) that such buildings, facilities, structures or other improvements are of benefit to the Project Area or to the immediate neighborhood in which the project is located; and (2) that no other reasonable means of financing such buildings, facilities, structures or other improvements are available to the community. Such determinations by the Agency and the Board of Supervisors shall be final and conclusive.

The Agency is specifically authorized to provide or participate in providing the public improvements and facilities described in Appendix "C" attached to, and incorporated in, this Plan.

Section 345 - Temporary Public Improvements

The Agency is authorized to install and construct, or cause to be installed and constructed, temporary public improvements and temporary public utilities necessary to carry out this Plan. Such temporary public improvements shall include, but not be limited to, streets, public facilities and utilities. Temporary utilities may be installed above ground.

Section 350 - REAL PROPERTY DISPOSITION AND DEVELOPMENT

Section 351 - General Requirements

For the purpose of this Plan, the Agency is authorized to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust, or otherwise dispose of any interest in real property. In the manner required and to the extent permitted by law, before any interest in real property of the Agency acquired in whole or in part, directly or indirectly, with tax increment monies is sold, leased, or otherwise disposed of for development pursuant to this Plan, such sale, lease, or disposition shall first be approved by the Board of Supervisors after public hearing. The Agency shall lease or sell all real property acquired by it in the Project Area, except property conveyed by it to the community.

All real property acquired by the Agency in the Project Area shall be sold or leased for development at prices which shall not be less than fair value for uses permitted under this Plan. Property containing buildings or structures rehabilitated by the Agency shall be offered for resale within one year after completion of rehabilitation, or an annual report concerning such property shall be published by the Agency as required by Section 33443 of the California Health and Safety Code.

All purchasers or lessees of Agency-owned property in the Project Area shall be obligated to use the property for the purposes designated in this Plan, to begin and complete development of the property within a period of time which the Agency fixes as reasonable, and to comply with other conditions which the Agency deems necessary to carry out the purposes of this Plan.

To the extent permitted by law, the Agency is authorized to dispose of real property through lease or sale by negotiation without public bidding. Real property may be conveyed by the Agency to the County or any other public body without charge.

Section 352 - Disposition and Development Documents

To provide adequate safeguards ensuring that the provisions of this Plan will be carried out and to prevent the recurrence of blight, all real property sold, leased, or conveyed by the Agency shall be made subject to the provisions of this Plan by lease, deeds, contracts, agreements, declarations, or other lawful means. Where determined appropriate by the Agency, such documents or portions thereof shall be recorded in the Office of the Recorder of the County of Tulare.

The leases, deeds, contracts, agreements, and declarations of restrictions may contain restrictions, covenants running with the land, rights of reverter, conditions subsequent, equitable servitudes, or any other provision necessary to carry out this Plan.

All deeds, leases, or contracts for the sale, lease, sublease, or other transfer of any land in a redevelopment project shall conform to the provisions and nondiscrimination clauses outlined in the following paragraphs.

Restricting the rental, sale or lease of property on the basis of race, color, religion, sex, marital status, ancestry or national origin of any person by lessees and purchasers of real property acquired in redevelopment projects and owners of property improved as part of a redevelopment project is prohibited. Redevelopment agencies, in accordance with Section 33435 of the California Health and Safety Code, shall obligate said lessees and purchasers to refrain from discriminatory practices.

In accordance with Section 33436 of the California Health and Safety Code, leases and contracts which the Agency proposes to enter into with respect to the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of any real property in the Project Area shall include the following provisions:

In deeds, the following language shall appear: "The grantee herein covenants by and for himself, his heirs, executors, administrators and assigns, and all persons claiming under or through them, that there shall be no discrimination against or segregation of, any person or group of persons on account of race, color, creed, religion, sex, marital status, national origin, or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the premises herein conveyed, nor shall the grantee himself, or any person claiming under or through him, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sublessees or vendees in the premises herein conveyed. The foregoing covenants shall run with the land."

In leases, the following language shall appear: "The lessee herein covenants by and for himself, his heirs, executors, administrators and assigns, and all persons claiming under or through him, and this lease is made and accepted upon and subject to the following conditions:

That there shall be no discrimination against, or segregation of, any person or group of persons, on account of race, color, creed, religion, sex, marital status, national origin or ancestry, in the leasing, subleasing, transferring, use, occupancy, tenure or enjoyment of the premises herein leased, nor shall the lessee himself, or any person claiming under or through him, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, sublessees, subtenants, or vendees in the premises herein leased."

In contracts entered into the Agency relating to the sale, transfer or leasing of land or any interest therein acquired by the Agency within any Survey Area or Project Area, the foregoing provisions, in substantially the form set forth, shall be included, and such contracts shall further provide that the foregoing provisions shall be binding upon and shall obligate the contracting party or parties and any subcontracting party or parties, or other transferees under the instrument.

Section 353 - Design for Development

Within the limits, restrictions, and controls established in the Plan, the Agency is authorized to establish restrictions on heights or buildings, land coverage, setback requirements, design criteria, traffic circulation, traffic access, and other development and design controls necessary for proper development of both private and public areas within the Project Area.

No new improvement shall be constructed and no existing improvement shall be substantially modified, altered, repaired, or rehabilitated except in accordance with any such controls. In the case of property which is the subject of a disposition and development or participation agreement with the Agency, it shall be constructed in accordance with architectural, landscape, and site plans submitted to and approved in writing by the Agency. One of the objectives of this Plan is to create an attractive and pleasant environment in the Project Area. Therefore, such plans shall give consideration to good design, open space, and other amenities to enhance the aesthetic quality of the Project Area. The Agency shall not approve any plans that do not comply with this Plan.

Section 354 - Development by Participants

Pursuant to the provisions of this Plan and the rules adopted by the Agency, the Agency shall, as appropriate, offer real property in the Project Area for purchase and development by owner participants and tenant participants who have appropriately expressed an interest in participating prior to the time that real property is made available for purchase and development by persons who are not owners or tenants in the Project Area.

Section 355 - Development by Agency

To the extent now or hereafter permitted by law, the Agency is authorized to pay for, develop, or construct any buildings, facilities, structures, or other improvements, either within or outside the Project Area, for itself or for any public body or entity, if a determination is made that such improvements would be of benefit to the Project Area and that no other reasonable means of financing such construction is available to the community. During the period of development in the Project Area, the Agency shall ensure that the provisions of the Plan and other documents formulated pursuant to this Plan are being observed, and that development in the Project Area is proceeding in accordance with development documents and time schedules.

The Agency may pay for, install, or construct the following facilities, and may acquire or pay for the land required for, including, but not limited to:

--Streets	--Site improvements for new
--Gutters	development, including
--Sidewalks	foundations and parking
--Landscaping	structures
--Open Space	--Utilities
--Community facilities	--Street lighting
--Storm drains and flood	--Street furniture
control facilities	--Public parking facilities

The Agency shall require that development plans be submitted to it for approval and review. All development must conform to this Plan and to all federal, State, and local laws, as amended from time to time, and must receive the approval of appropriate public agencies.

Section 356 - Personal Property Disposition

For purposes of this Plan, the Agency is authorized to sell, lease, exchange, transfer, assign, pledge, encumber, or otherwise dispose of personal property that has been acquired by the Agency.

Section 361 - REHABILITATION AND CONSERVATION OF STRUCTURES

Section 361 - Rehabilitation of Structures

The Agency is authorized to adopt Property Rehabilitation Standards and to rehabilitate and conserve, or to cause to be rehabilitated and conserved, any building or structure in the Project Area owned by the Agency. The Agency is also authorized and directed to advise, encourage, and financially assist in the rehabilitation and conservation of property in the Project Area not owned by the Agency.

The Agency and the County may conduct a rehabilitation program to encourage owners of property within the Project Area to upgrade and maintain their property consistent with County codes and standards and with Property Rehabilitation Standards which may be adopted by the Agency. The Agency and the County may develop a program for making low interest loans for the rehabilitation of commercial properties in the Project Area. Properties may be rehabilitated, provided that rehabilitation and conservation activities on a structure are carried out in an expeditious manner and in conformance with this Plan.

Section 362 - Moving of Structures

As is necessary in carrying out this Plan and where it is economically feasible to so do, the Agency is authorized to move, or cause to be moved, any standard structure or building which can be rehabilitated to a location within or outside the Project Area.

Section 363 - Buildings of Historical Significance

To the extent practical and when consistent with the other objectives of this Plan, special consideration shall be given to the protection, rehabilitation, or restoration of any structure determined to be historically significant, taking into consideration State guidelines.

ARTICLE 4

LOW AND MODERATE INCOME HOUSING

Section 400 - REQUIREMENT FOR 20 PERCENT OF TAX INCREMENT REVENUES TO BE USED FOR HOUSING

No less than twenty percent (20%) of all taxes allocated to the Agency pursuant to Section 33670 of the California Health and Safety Code shall be used by the Agency for the purposes of increasing and improving the County's supply of housing for persons and families of low or moderate income provided however, that the Agency may find, pursuant to Section 33334.2(a) of the California Health and Safety Code that:

- (1) That no needs exist in Tulare County, the provision of which would benefit the Project Area to improve or increase the supply of low- and moderate-income housing; or
- (2) That some stated percentage less than 20 percent of the taxes which are allocated to the Agency pursuant to Section 33670 is sufficient to meet such housing need; or
- (3) That substantial effort to meet low- and moderate-income housing needs in Tulare County is being made, and that this effort, including the obligation of the funds currently available for the benefit of Tulare County from State, local, and federal sources for low- and moderate-income housing alone or in combination with the taxes allocated under this Section, is equivalent in impact to the funds otherwise required to be set aside. The Board of Supervisors shall consider the need that can be reasonably foreseen because of displacement of persons and families of low- or moderate-income or very low income households from within or adjacent to the Project Area, because of increased employment opportunities, or because of any other direct or indirect result of implementation of this Plan.

Section 410 - LOW AND MODERATE-INCOMING HOUSING AND
REPLACEMENT

In carrying out the activities contemplated in this Plan, it may become necessary, from time to time for the Agency to enter into various agreements, such as an agreement for acquisition of real property, an agreement for the disposition and development of property, or an owner participation agreement, which would lead to the destruction or removal of dwelling units from the low and moderate income housing market. Not less than thirty (30) days prior to the execution of such an agreement, the Agency shall adopt, by a resolution, a Replacement Housing Plan, which shall include the general location of the replacement housing, a finding that the replacement housing does not require the approval of the voters pursuant to Article XXXIV of the California Constitution or that such approval has been obtained, the number of dwelling units housing persons or families of low or moderate income planned for construction or rehabilitation, and a timetable for meeting the Plan's relocation, rehabilitation and replacement housing objectives., A dwelling unit whose replacement is required by Section 33413 of the California Health and Safety Code, but for which no Replacement Housing Plan has been prepared, shall not be removed from the low and moderate income housing market.

For a reasonable period of time prior to adopting a Replacement Housing Plan, the Agency shall make available a draft of the proposed Plan for review and comments by public agencies and the general public.

Section 420 - PROVISION OF LOW AND MODERATE-INCOME HOUSING

The Agency may, to the extent permitted by law, inside or outside the Project Area, acquire land, donate land, improve sites, or construct or rehabilitate structures in order to provide housing for persons and families of low or moderate income, The Agency may also provide subsidies to or for the benefit of, such persons and families or households to assist them in obtaining housing within the County. The Agency may enter into agreements with the Housing Authority of the County of Tulare for the purpose of increasing and improving the County's supply of low or moderate income housing.

Section 430 - NEW OR REHABILITATED DWELLING UNITS DEVELOPED
WITHIN THE PROJECT AREA

At least thirty percent (30%) of all new or rehabilitated dwelling units developed within the Project Area by the Agency shall e for persons and families of low and moderate income; and of such thirty percent (30%), not less than fifty percent (50%) thereof shall be for very low income households.

At least fifteen percent (15%) of all new or rehabilitated dwelling units developed within the Project Area by public or private entities or persons other than the Agency shall be for persons and families of low and moderate income; and of such fifteen percent (15%), not less than forty percent (40%) thereof shall be for very low income households.

The percentage requirements set forth in this section shall apply in the aggregate to housing in the Project Area and not to each individual case of rehabilitation, development, or construction of dwelling units.

The Agency shall require, by contract or other appropriate means, that whenever any low and moderate income housing units are developed within the Project Area such units shall be made available on a priority basis for rent or purchase, whichever the case may be to persons and families of low and moderate income displaced by the Project; provided, however, that failure to give such priority shall not affect the validity of title to the real property upon which such housing units have been developed.

Section 440 - DURATION OF DWELLING UNIT AVAILABILITY

The Agency shall require that the aggregate number of dwelling units rehabilitated, developed, or constructed for low or moderate income persons shall remain for persons and families of low and moderate income and very low income households, respectively, for not less than the period set forth for the duration of this Plan.

Section 450 - LAST RESORT HOUSING

If sufficient suitable housing units are not available in the County for use by persons and families of low and moderate income displaced by the Project, the Agency may, to the extent of that deficiency, direct or cause the development, rehabilitation or construction of housing units with the County, both inside and outside the Project Area.

ARTICLE 5

PROJECT FINANCING

Section 500 - FRAMEWORK

Redevelopment agencies are not allowed to levy taxes of any kind. Therefore, agencies primarily finance their various projects and implementation activities through tax increment financing. Tax increments are derived from property taxes which result from increases in assessed valuation of property in the Project Area once the Project Area has been formed. Such assessed valuation increases can only occur from new development, from property improvements, from property sales or transfers, or from an annual inflationary increase (up to 2%) as allowed by Proposition 13.

Because of the limitations of Proposition 13, the basic property tax levy is one percent of the assessed valuation of property. With this one percent limitation, a redevelopment agency may receive up to \$10,000 annually for every million dollars in creased assessed valuation which occurs in a project area once formed. Such funds flow to the agency each year until project completion, and then only to the extent that the agency has indebtedness which must be repaid.

In addition to tax increment revenues, an agency is legally authorized to utilize other funds, such as federal of State grants and various loans and notes and utilize various types of bond financing to finance its activities. This section of the Plan describes the financing tools the Agency may utilize and the limitations on those tools.

Section 510 - GENERAL DESCRIPTION OF PROPOSED FINANCING METHODS

Upon adoption of the proposed Redevelopment Plan by the Agency and by the Tulare County Board of Supervisors, the Agency, if it deems appropriate, will be authorized to finance the project with assistance from the County of Tulare, State of California, United States Government, any other public agency, property tax increments, sales tax increments, interest revenue, income revenue, Agency-issued notes and bonds, or from any other available sources of financing which are legally available and do not conflict with the objectives of the adopted Redevelopment Plan.

The County may supply advances and expend money as necessary to assist the Agency in carrying out the project. Such assistance shall be on terms established by an agreement between the County of Tulare and the Tulare County Redevelopment Agency.

Section 520 - TAX INCREMENTS

Pursuant to Section 33670 of the California Health and Safety Code, all taxes levied upon taxable property within the Goshen Redevelopment Project Area each year by or for the benefit of the State of California, County of Tulare, any district, or other public corporation (hereinafter sometimes called "taxing agencies") after the effective date of the ordinance approving this Plan, shall be divided as follows:

That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of said taxing agencies upon the total sum of the assessed value of the taxable property in the redevelopment project as shown upon the assessment roll used in connection with the taxation of such property by such taxing agency, last equalized prior to the effective date of such ordinance, shall be allocated to and when collected shall be paid into the funds of the respective taxing agencies as taxes by or for said taxing agencies on all other property are paid (for the purpose of allocating taxes levied by or for any taxing agency or agencies which did not include the territory in a redevelopment project on the effective date of such ordinance but to which such territory is annexed or otherwise included after such effective date), the assessment roll of the County of Tulare last equalized on the effective date of said ordinance shall be used in determining the assessed valuation of the taxable property in the Project Area on the effective date; and

That portion of said levied taxes each year in excess of such amount shall be allocated to and when collected shall be paid into a special fund of the Agency to pay the principal of and interest on bonds, loans, monies advanced to, or indebtedness (whether funded refunded assumed, or otherwise) incurred by the Agency to finance or refinance, in whole or in part, this redevelopment project. Unless and until the total assessed value of the taxable property in the Project Area exceeds the total assessed value of the taxable property in the Project Area as shown on the last equalized assessment roll, all of the taxes levied and collected upon the taxable property in the project shall be paid into the funds of the respective taxing agencies. When such bonds, loans, advances and indebtedness, if any, and interest thereon have been paid, all monies thereafter received from taxes upon the taxable property in the project shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid.

That portion of taxes discussed in this section is hereby irrevocably pledged for the payment of the principal of and interest on the advance of monies, or the making of loans, or the incurring of any indebtedness (whether funded, refunded assumed, or otherwise) by the Agency to finance or refinance in whole or in part the Goshen Redevelopment Project.

The Agency is authorized to make such pledges as to specific advances, loans, indebtedness, and other obligations as appropriate in carrying out the project.

Taxes levied in a Project Area and allocated to the Agency as provided in Section 33670 of the California Health and Safety Code may be used anywhere within the territorial jurisdiction of the Agency to finance the construction or acquisition of public improvements which will enhance the environment of a residential neighborhood containing housing for persons and families of low or moderate income, and public improvements which will be of benefit to the Project Area.

Section 530 - FINANCIAL BURDEN ON TAXING AGENCIES

The Agency may pay to any taxing agency with territory located within the Project Area, any amounts of money which the Agency determines is appropriate to alleviate any financial burden or detriment caused to any taxing agency by the project. It is the intent of the Agency in adopting this Plan to establish that it intends to pay to all affected taxing agencies except public school districts the amounts of money such agencies would accrue from the proceeds of taxes as if there were no redevelopment project.

Section 540 - ISSUANCE OF BONDS AND NOTES

The Agency may issue bonds or notes when a determination has been made that such financing is required and feasible. such bonds or notes shall be issued only after the Agency has determined that funds are, or will be, available to repay principal and interest when due and payable.

Section 550 - LOANS AND GRANTS

The Agency is authorized to obtain advances, borrow funds, and create indebtedness in carrying out this Plan. The principal and interest on such advance funds and indebtedness may be paid from tax increments or any other funds available to the Agency.

Section 560 - LOW AND MODERATE-INCOME HOUSING FUND

Subject to the provisions of Section 400 of this Plan, not less than twenty percent (20%) of all taxes which are allocated to the Agency pursuant to Section 33670 shall be held in a separate low and moderate income housing fund and used by the Agency for the purposes of increasing and improving the community's supply of housing for persons and families of low or moderate income, as defined in Health and Safety Code Section 50093, and very low income households as defined in Section 50105.

Section 570 - FINANCING LIMITATIONS

Consistent with Sections 33333.2 and 33334.1 of the California Community Redevelopment Law, the following financing limitations are imposed on this Plan:

- 570.1 Taxes, as defined in Section 33670 of the Redevelopment Law, shall not be divided and shall not be allocated to the Agency in excess of \$75 million except by amendment of this Plan.
- 570.2 No loans, advances or indebtedness to finance, in whole or in part, the Project and to be repaid from the allocation of these taxes described in the before-mentioned Section 33670 shall be established or incurred by the Agency beyond thirty (30) years from the date of adoption of this Plan by the Board of Supervisors, unless such time limitation is extended by amendment of this Plan. However, such loans, advances or indebtedness may be repaid over a period of time longer than such time limit.
- 570.3 From time to time as may be appropriate the Agency may issue bonds and/or notes for any of its corporate purposes. The Agency may issue such types of bonds on which the principal and interest are payable i whole or in part from tax increments. The total outstanding principal of any bonds so issued and repayable from said tax increments shall not exceed \$15 million at any one time except by amendment of this Plan.

ARTICLE 6

PLAN ADMINISTRATION

Section 600 - GENERAL DISCUSSION

The administration and enforcement of this Plan, including the preparation and execution of any documents implementing this Plan, shall be performed by the Agency and/or the County.

The provisions of this Plan, or other documents entered into pursuant to this Plan, may also be enforced by court litigation instituted by either the Agency or the County. Such remedies may include, but are not limited to specific performance, damages re-entry, injunctions or any other remedies appropriate to the purposes of this Plan. In addition, any recorded provisions which are expressly for the benefit of owners of property in the Project Area may be enforced by such owners.

Section 610 - TERM OF THIS PLAN'S DEVELOPMENT CONTROLS

Except for the nondiscrimination and nonsegregation provisions which shall run in perpetuity, the land use and development control provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan may be made effective for thirty (30) years from the date of adoption of this Plan by the Board of Supervisors.

Section 620 - COOPERATION BETWEEN AGENCY AND COUNTY

Subject to any limitation in law, the County will aid and cooperate with the Agency in carrying out this Plan and may take any further action necessary to ensure the continued fulfillment of the purposes of this Plan and to prevent the recurrence or spread of blight or those conditions which caused the blight in the Project Area. Actions by the County may include, but are not necessarily limited to the following:

- 620.1 Institution and completion of proceedings for opening, closing, vacating, widening, or changed the grades of streets, alleys and other public rights-of-way, and for other necessary modifications of the streets the street layout, and other public rights-of-way in the Project Area. Such action by the County may include the abandonment and relocation of public utilities in the public rights-of-way as necessary to carry out his Plan.

- 620.2 Institution and completion of proceedings necessary for changes and improvements in publicly-owned public utilities within or affecting the Project Area.
- 620.3 Imposition wherever necessary of appropriate design controls within the limits of this Plan upon parcels in the Project Area to ensure their proper development and use.
- 620.4 Provision for administration/enforcement of this Plan by the County after development.
- 620.5 Performance of the above and of all other functions and services relating to public health, safety and physical development normally rendered in accordance with a schedule which will permit the redevelopment of the Project Area to be commenced and carried to completion without unnecessary delays.
- 620.6 The initiation and completion of any other proceedings necessary to carry out the Project.

The Agency is authorized, but not obligated, to provide and expend funds to ensure the completion of the project as a whole in accordance with this Plan. The obligation of the Agency to perform the actions indicated in this section shall be contingent upon the continued availability of funding for this project primarily from tax increment revenues as defined in Section 520 hereof. However, the Agency may utilize any legally available sources of revenue for funding projects in accordance with this Plan.


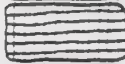




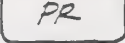
Section 630 - COOPERATION WITH OTHER PUBLIC AGENCIES

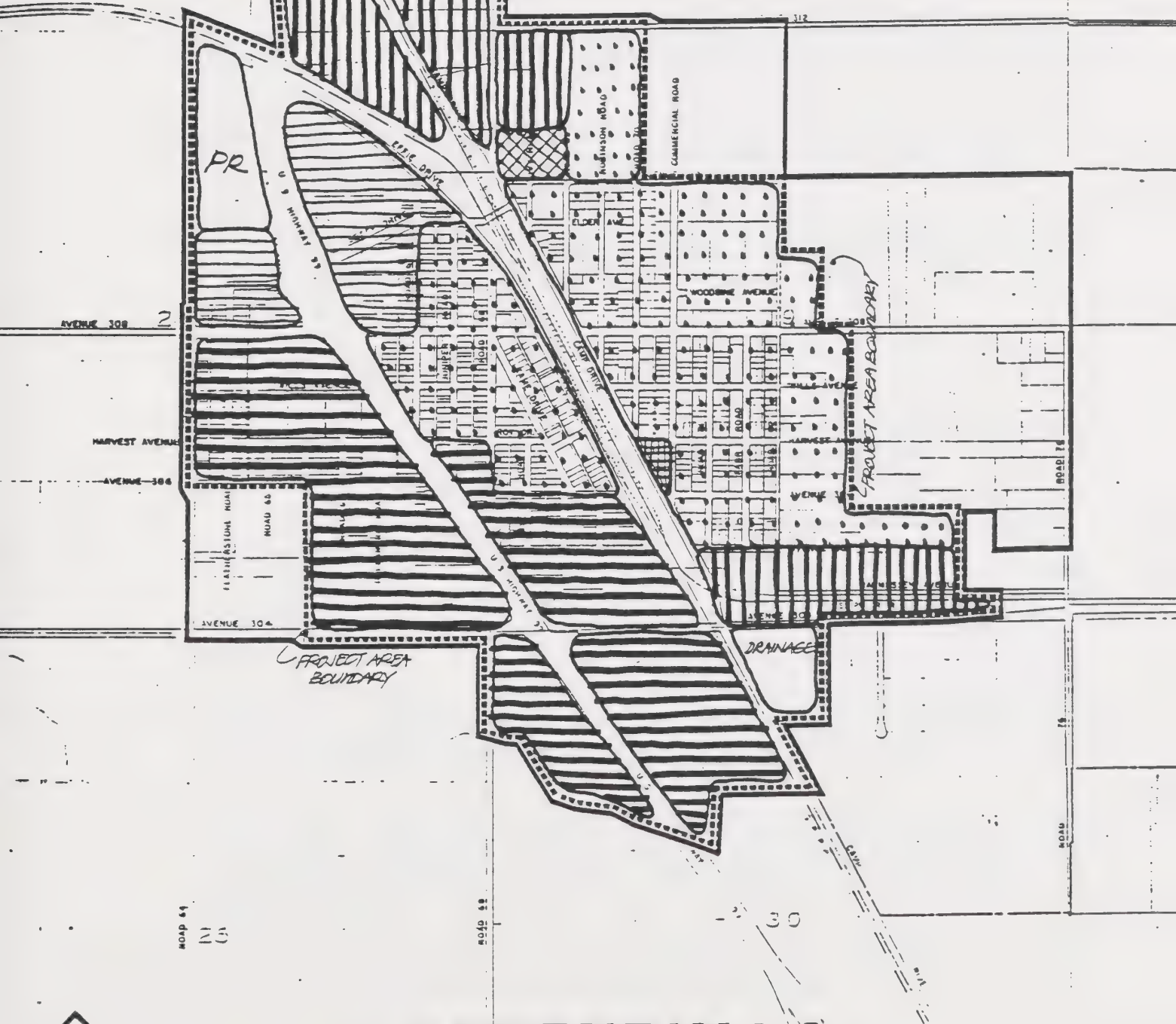
Certain public bodies are authorized by state law to aid and cooperate, with or without consideration, in the planning, construction, or operation of this Project. The Agency shall seek the aid and cooperation of such public bodies and shall attempt to coordinate this Plan with the activities of such public bodies in order to accomplish the purposes of redevelopment and the highest public good.

The Agency, by law, is not authorized to acquire real property owned by public bodies without the consent of such public bodies. However, the Agency will seek the cooperation of all public bodies which own or intend to acquire property in the Project Area. Any public body which owns or leases property in the Project Area will be afforded all the privileges of owner and tenant participation if such public body is willing to enter into a participation agreement with the Agency.

Section 640 - PROCEDURES FOR AMENDING THIS PLAN

This Plan may be amended by means of the procedures established in Sections 33450-33458 of the Community Redevelopment Law or by any other procedure established by law.

-  RESIDENTIAL
-  COMMUNITY COMMERCIAL
-  HIGHWAY COMMERCIAL
-  SERVICE COMMERCIAL
-  LOW INTENSITY SERVICE COMMERCIAL AND/OR INDUSTRIAL
-  INDUSTRIAL
-  PRIVATE RECREATION



APPENDIX A REDEVELOPMENT PLAN MAP

APPENDIX "B"
LEGAL DESCRIPTION
GOSHEN REDEVELOPMENT BOUNDARY

Beginning at the point of intersection of the northerly right-of-way line of Avenue 312 with the easterly right-of-way line of Road 68; thence the following courses:

- 1) easterly, along said northerly right-of-way line of Avenue 312, to the point of intersection thereof with the northerly prolongation of the easterly right-of-way line of Road 70;
- 2) southerly, along said northerly prolongation, to the point of intersection thereof with the northerly right-of-way line of Avenue 310;
- 3) easterly, along said northerly right-of-way line of Avenue 310, to the point of intersection thereof with the easterly right-of-way line of Road 72;
- 4) southerly along said easterly right-of-way line of Road 72, to the point of intersection thereof with the northerly line of Parcel No. 2 of Parcel Map No. 1013, recorded in Book 11 of Parcel Maps, at Page 14, T.C.R.;
- 5) easterly along said northerly line of Parcel No. 2, to the northeast corner thereof;
- 6) southerly, along the easterly line of said Parcel No. 2, to the point of intersection thereof with the northerly right-of-way line of Avenue 308;
- 7) easterly, along said northerly right-of-way line of Avenue 308, to the point of intersection thereof with the northerly prolongation of the easterly line of that property described as Parcel No. 1 in a Grant Deed to Guillermo Gonzales, et ux, recorded March 22, 1973, in Volume 3098, Page 317, Official Records;
- 8) southerly, along said northerly prolongation and easterly line to the northwest corner of that property described in a Grant Deed to Richard Ensminger, et ux, recorded December 12, 1983, in Volume 4138, Page 314, Official Records;
- 9) southerly, along the westerly line of said property and along the westerly line of that property described in a Grant Deed to Richard Ensminger, et ux, recorded December 12, 1983, in Volume 4138, Page 339, Official Records, to the southwest corner thereof;
- 10) easterly, along the southerly line of said property, to the northwest corner of that property described in a Grant Deed

to James Jay Allgood, et ux, recorded December 19, 1986, in Volume 4510, Page 67, Official Records;

- 11) easterly, along the northerly line of said property, to the northeast corner thereof;
- 12) southerly, along the easterly line of said property to the point of intersection thereof with the southerly right-of-way line of Rasmussen Avenue;
- 13) easterly, along said southerly right-of-way line of Rasmussen Avenue, to the point of intersection thereof with the southerly prolongation of the easterly line of that property described as Parcel No. 2 in a Quitclaim Deed to W. Shaen Magan, recorded February 19, 1987, in Volume 4532, Page 898, Official Records;
- 14) southerly, along said southerly prolongation, to the point of intersection thereof with the northerly right-of-way line of Avenue 304;
- 15) westerly, along said northerly right-of-way line of Avenue 304, to the point of intersection thereof with the northerly prolongation of the westerly line of that property described in a Grant Deed to Logan James Heath, recorded December 30, 1971, in Volume 3005, Page 87, Official Records;
- 16) southerly, along said northerly prolongation and westerly line, to the northwest corner of Parcel No. 2 of Parcel Map No. 2329, recorded in Book 24 of Parcel Maps, at Page 30, Tulare County Records;
- 17) southerly, along the westerly lines of Parcels No. 2 and 1 of said Parcel Map No. 2329, to a point on the northerly line of Parcel No. 3 of Parcel Map No. 3118, recorded in Book 32 of Parcel Maps, at Page 19, Tulare County Records;
- 18) westerly, along said northerly line of Parcel No. 3, to a point on the easterly right-of-way line of Camp Drive;
- 19) southeasterly, along said easterly right-of-way line of Camp Drive, to the point of intersection thereof with the easterly prolongation of the southerly line of that 25 foot strip shown as a portion of Parcel No. 3 of Parcel Map No. 2817, recorded in Book 29 of Parcel Maps, at Page 18, Tulare County Records;
- 20) westerly, along said easterly prolongation and southerly line, to a point on the easterly line of said Parcel No. 3;
- 21) southerly, along said easterly line and its southerly prolongation, to the point of intersection thereof with the northerly boundary of Mill Creek;

- 22) northwesterly along said northerly boundary of Mill Creek, to the point of intersection thereof with the westerly right-of-way line of Road 68;
- 23) northerly, along said westerly right-of-way line of Road 68, to the point of intersection thereof with the southerly right-of-way line of Avenue 304;
- 24) westerly, along said southerly right-of-way line of Avenue 304, to the point of intersection thereof with the southerly prolongation of the easterly line of Parcel No. 2 of Parcel Map No. 1385, recorded in Book 14 of Parcel Maps, at Page 86, Tulare County Records;
- 25) northerly, along said southerly prolongation and easterly line, to a point on the southerly line of Parcel No. 2 of Parcel Map No. 3129, recorded in Book 32 of Parcel Maps, at Page 30, Tulare County Records;
- 26) westerly, along said southerly line of Parcel No. 2, to the southwest corner thereof;
- 27) northerly, along the westerly line of said Parcel No. 2, to the point of intersection thereof with the southerly right-of-way line of Avenue 306;
- 28) westerly, along said southerly right-of-way line of Avenue 306, to the point of intersection thereof with the westerly right-of-way line of Road 64;
- 29) northerly, along said westerly right-of-way line of Road 64, to the point of intersection thereof with the westerly prolongation of the northerly boundary line of Goshen Townsite, per map thereof recorded in Volume 3 of Maps, at Page 19, Tulare County Records;
- 30) easterly, along said westerly prolongation and northerly boundary line to the point of intersection thereof with the easterly line of that property described in a Grant Deed to Fred Walter Giacomazzi, recorded December 30, 1969, in Volume 2873, Page 269, Official Records;
- 31) northerly, along said easterly line and its northerly prolongation, to the point of intersection thereof with the northerly right-of-way line of the Southern Pacific Railroad;
- 32) southeasterly, along said northerly right-of-way line of the Southern Pacific Railroad, to the point of intersection thereof with the easterly right-of-way line of State Highway 99;
- 33) northerly, along said easterly right-of-way line of State Highway 99, to the point of intersection thereof with the westerly prolongation of the southerly line of Parcel No. 4

APPENDIX C

PROPOSED PUBLIC IMPROVEMENT PROJECTS

On the basis of the surveys conducted in Goshen during preparation of the Redevelopment Plan for that community, the following public improvements are proposed by the Plan:

- Such improvements to streets, infrastructure and other public facilities as might be required to induce or facilitate the promotion and development of: (a) an agricultural service/industrial center in the northerly portion of the community; and (2) a highway-oriented commercial "center" along the freeway corridor;
- Development of a community-wide wastewater collection and disposal system (alternative approaches include tie-in to the City of Visalia's treatment facility and/or a stand-alone system for Goshen only). Objectives of this program are to assist in the promotion and development of the community's industrial base and to encourage upgrading and infilling of the community's residential neighborhoods;
- Upgrading and, where required development of water system improvements to levels adequate to accommodate industrial/commercial uses;
- Development of storm drainage improvements community-wide; and
- Substantial improvements to the freeway interchange at Betty Drive and Highway 99, as well as to a route to be designated from this interchange through the community to the east. Objectives of this specific project include generally improved freeway access to the community and improved access to the economically important industrial park area of the City of Visalia, to the east. Participation in this project by the City of Visalia may be sought by the Agency.

The Agency also anticipates a very active role in promoting the industrial and commercial development of the community. In cooperation with the Tulare County Economic Development Corporation, the City of Visalia, the Visalia Chamber of Commerce, the County of Tulare, and local development and realty interests the Agency may engage in advertising, mailings and a range of other promotional activities intended to stimulate interest in local commercial/industrial development.

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